

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN
GREEN BAY DIVISION

APPLETON PAPERS INC. and
NCR CORPORATION,
Plaintiffs,

v.

No. 08-CV-16-WCG

GEORGE A. WHITING PAPER
COMPANY, *et al.*,
Defendants.

DECLARATION OF TODD GOLDBERG

I, Todd Goldberg, declare as follows:

1. I am a co-owner of NorthStar Litigation Technologies, LLC (“NorthStar”), which maintains its principal place of business at 103 Eisenhower Parkway, Roseland, New Jersey. NorthStar provides litigation support services that include document scanning and coding and electronic database hosting and consulting.

2. NorthStar has provided litigation support services for Appleton Papers Inc. (“API”) in connection with this action, including imaging and coding documents that API has produced in discovery and maintaining and managing API’s document database.

3. On or about August 25, 2009, Northstar took delivery of a crate that contained a wooden cabinet. The cabinet contained microfilm, microfiche and a small number of acetates. It was (and is) my understanding that the cabinet had been shipped from a warehouse facility called “Butler’s Court” in the United Kingdom. The crate contained no original documents.

4. API asked NorthStar to make a digital copy of all images on the microfilm, microfiche and acetates in crate received from Butler's Court and to maintain and preserve a complete digital copy of the images in our database.

5. During August and September 2009, NorthStar worked with a third-party vendor to generate an exact digital copy of *every* image on the microfilm, microfiche and acetates received from Butler's Court. Quality control checks were run to assure that all images were captured. As a result, since 2009, the document database that NorthStar maintains for API has included an exact copy of everything on the microfilm, microfiche and acetates.

6. Utilizing optical character recognition ("OCR") software, NorthStar also generated an OCR database that makes the images searchable.

7. The quality of the images on the microfiche, microfilm and acetates varied significantly. Some of those images were of poor quality. The variation was likely due to differences in the age of the original documents (ranging in dates from the 1930s to the 1980s) and condition of the originals at the time they were microfilmed or microfiched. The quality of the copies can also vary depending on how the microfilm or microfiche was subsequently stored. However, the digital imaging provided a consistently high resolution image of each document as it appeared on the microfilm/microfiche.

8. Both microfilm and microfiche deteriorate over time, especially if not properly stored. Digital imaging is a reliable way of permanently preserving the records.

9. The microfilm, microfiche and acetates in the Butler's Court Collection contained images of 1,072,470 pages of documents. All those images have been permanently preserved.

10. Of that total, 557,106 pages that fell within the time period specified in the discovery requests, January 1, 1950 to December 31, 1978. NorthStar also loaded the images on a CaseVault database.

11. The total cost to date for scanning, coding, OCR and loading and maintaining the images on the database is \$334,690.49 as follows:

\$ 89,136.96	–	Scanning
\$111,421.25	–	Maintaining on CaseVault
\$126,332.80	–	Coding
\$ 16,713.18	–	OCR
\$343,604.19		TOTAL

12. The microfiche and microfilm had an index of sorts. However, we found the index to be impractical to use because it did not include a means for locating an indexed document within the collection. Consequently, API incurred the expense to code and OCR the documents.

13. At API's direction, NorthStar has provided Georgia-Pacific ("GP") with a copy of all images in the Butler's Court Collection. Images of documents from the relevant time period were provided to GP on July 27, 2011. Images of the remaining documents were provided on September 17, 2011.

I declare under the penalty of perjury under the laws of the United States and the State of Wisconsin that the foregoing is true and correct.

Executed at Roseland, New Jersey on October 3, 2011.

/s/ Todd Goldberg
Todd Goldberg